

April 16, 2007

To All Members of the United States Senate

Dear Senator:

We are writing to you on behalf of the United Food and Commercial Workers International Union (UFCW) and Consumer Federation of America, regarding a matter of utmost importance, preserving the federal meat and poultry inspection system. It is our expectation that members of the Senate will soon offer a bill to permit the interstate shipment of state-inspected meat. In the House, Representative Ron Kind has introduced H.R. 1760 to accomplish the same goal. Our organizations strongly oppose this legislation. We believe it is hazardous to the health of American consumers and a threat to U.S. products in International trade.

The UFCW represents 1.4 million members who are the primary processors and producers of meat and poultry products American consumers purchase. Consumer Federation of America is an organization of over 300 local, state, and national consumer organizations, consumer cooperatives, senior citizen groups, and trade unions whose combined membership is over 50 million Americans.

Our organizations know that state inspection systems are not the same as federal systems. Forty years ago Congress enacted the Federal Meat Inspection Act. It provided an exemption from federal inspection for small facilities. Owners of these small plants could choose to be inspected by state rather than federal inspections, but, in order to protect public health, the products of these facilities could not be offered in interstate commerce and could only be sold in the state in which they were produced.

Numerous published reports by the USDA's Office of Inspector General, including one as recent as October 2006, provide evidence that show that state inspection systems have not kept pace and are, in fact, not "equivalent" to federal inspection. The OIG reported that:

- FSIS visited 11 meat plants in Mississippi in October 2003. All failed to meet all HACCP requirements. FSIS reported that cutting boards in one plant were heavily contaminated with meat residues from the previous day's work, reported finding "soot-like" material on swine carcasses, and noted that some plants failed to monitor cooking temperatures, potentially exposing consumers to bacteria that cause foodborne illness.

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Despite these public health hazards, the Mississippi meat inspection program allowed these companies to continue operating and so did FSIS.

- In 2004, FSIS stated it had a clear responsibility to set a national standard for state inspection programs but has failed to require states to meet the standard. (Fulfilling the Vision, Initiative in Protecting Public Health, 2004)

- FSIS allowed meat plants in four states—Missouri, Wisconsin, Delaware, and Minnesota to continue to sell meat to unsuspecting consumers even after finding that the state programs were not meeting legal standards for safety.

- In 2003 the FSIS reported Missouri's program "does not support at least equal to (federal inspection). Wisconsin has "significant concerns." The Missouri program was allowed to continue to operate for over a year while the state tried to address the problems found by FSIS.

- Although FSIS determined, after reviews under taken from July 2005 to April 2006, that it could not rule that inspection programs in 16 different states were "equal to" the federal program as required. USDA permitted the state program to continue operating and the state-inspected plants to continue to sell meat to an unsuspecting public while the state fixed the problems.

In addition to these health-related problems, the OIG reported that the state of Texas continues to return to the U.S. government excess funds that were provided to the state for its program but were not expended. As of October 2006, Texas was still holding over \$260,000 of excess funds from Fiscal Year 2004.

The OIG issued similarly critical reports in previous years. Though FSIS is applying more resources to reviewing state inspection programs these reviews occur only every three years, are primarily devoted to FSIS looking at state paperwork, and involve onsite visits to only a handful of plants to see if the programs work as intended.

USDA inspectors, sworn to uphold public health, visit federally inspected plants at least once each day, every day.

Bills to permit the sale of state-inspected meat are perennials in Congress, but Congress has always examined the evidence and failed to act on them. It should do so again.

Some argue that small producers cannot meet the requirements of the federal inspection system without going broke and that fostering more state inspection would foster the growth of small packers but **the fact is that in every state where**

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**there is a state inspection program serving some very small plants, other very small plants are under federal inspection meeting all of the federal requirements and selling food certified by federal inspectors.** These plants can offer their products for sale across state lines and internationally. USDA continues to provide education and technical assistance for very small plants who want to meet federal inspection requirements. This is the appropriate path for very small producers who want to sell across a wider area.

Before considering this legislation, Congress also needs to ask:

If dangerous state inspected meat and poultry products get into the food supply and need to be recalled, who is responsible for recalls—the state where it was inspected, the state where it was sold, or the USDA?

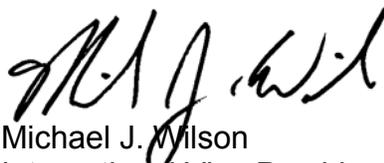
If there are instances of illness or fatalities due to inappropriate sanitation standards and lax enforcement, do consumers have legal recourse against both the processor and the state inspection system?

Will additional funds be appropriated to enable USDA to ensure that all state-inspected plants are truly equivalent, not just review the “equivalence” of state inspection systems?

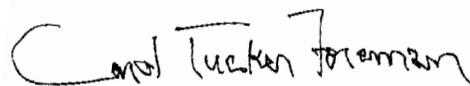
At a time of increased terrorist threats of intentional adulteration and increasing safeguards for Americans, we should be working to strengthen food safety standards and improve food safety inspections. Permitting state inspected meat to be sold in interstate commerce is a move in exactly the opposite direction.

Thank you for your consideration of this important issue. For further information, please contact UFCW Legislative and Political Action Department Associate Director Jo Deutsch at 202-223-3111 or Christopher Waldrop at CFA at 202-797-8551.

Sincerely,



Michael J. Wilson  
International Vice President  
Director, Legislative and  
Political Action Department



Carol Tucker-Foreman  
Distinguished Fellow  
The Food Policy Institute  
Consumer Federation of America